

REMARKS

Claims 1 – 111 remain pending in this application. The Office action asserts that the application contains claims directed to more than one species of the generic invention, and that the species are deemed to lack unity of invention because they are allegedly not so linked as to form a single general inventive concept under PCT Rule 13.1. The requirement for election of species is traversed.

PCT Rule 13.1 provides:

13.1 Requirement

The international application shall relate to one invention only or to a group of inventions so linked as to form a single general inventive concept ("requirement of unity of invention").

PCT Rule 13.4 provides:

13.4 Dependent Claims

Subject to Rule 13.1, it shall be permitted to include in the same international application a reasonable number of dependent claims, claiming specific forms of the invention claimed in an independent claim, even where the features of any dependent claim could be considered as constituting in themselves an invention.

In the present application, each of the specific forms of the invention identified in the Office action as a “species” are set forth in dependent claims. Pursuant to Rule 13.4, such dependent claims are permitted, even where the features of any dependent claim could be considered as constituting in themselves an invention.

Further, each of the dependent claims at issue sets forth specific forms of the independent claim invention in an open-ended “comprising” clause, such that any one of the specific forms so recited would meet the requirements of the claim. In other words, each of the dependent claims merely sets forth different embodiments of the same general invention.

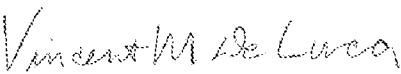
To comply with 37 CFR 1.143, Applicant elects the following species, with traverse:

- A. Electron source – claims 6 and 93 read on this species;
- B. DVD – claims 7 and 94 read on this species;
- C. O₂ - claim 9 reads on this species;
- D. Metal – claim 10 reads on this species;
- E. Housing – each of claims 11 – 13 reads on this species as each shape may comprise a housing;
- F. Channel – claim 17 reads on this species;
- G. Increasing pressure ratio – claim 41 reads on this species;
- H. Enclosure – claim 75 reads on this species;
- I. Enclosure – claim 80 reads on this species;
- J. Multi-contoured surface – claim 109 reads on this species;
- K. Chamber – claim 110 reads on this species;
- L. Conduit – claim 111 reads on this species.

As stated in the Office action, claims 1 and 90 are generic to all species. In view of the foregoing, all of claims 1 – 111 read on the elected species. Reconsideration and withdrawal of the restriction requirement is requested in view of the above discussion.

Conclusion

Please charge any fee or credit any overpayment pursuant to 37 CFR 1.16 or 1.17 to Novak Druce Deposit Account No. 14-1437.

RESPECTFULLY SUBMITTED,					
NAME AND REG. NUMBER	Vincent M. DeLuca Attorney for Applicants Registration No. 32,408				
SIGNATURE				DATE	31 August 2010
Address	Novak Druce DeLuca + Quigg LLP 300 New Jersey Avenue, NW, Fifth Floor				
City	Washington	State	D.C.	Zip Code	20001

<i>Country</i>	U.S.A.	<i>Telephone</i>	202-659-0100	<i>Fax</i>	202-659-0105
----------------	--------	------------------	--------------	------------	--------------